

## **Remarks**

Claims 1 – 4, 7, 9 – 15, 18, 20, and 21 are pending. Claims 1 – 4, 7, 9 – 15, 18, 20, and 21 presently stand rejected. Claims 1, 9, 11, 12, 20, and 21 have been amended. Examination and reconsideration of the claims in view of the following remarks are respectfully requested.

### **35 U.S.C. §102 Rejection**

Claims 1 – 4, 7, 9, 10, 12 – 15, 18 and 20 presently stand rejected under 35 U.S.C. § 102(a) and 102(e) as anticipated by U.S. Patent Application No. 2007/0107066 (“Seelig”).

Independent claims 1 and 12 are generally directed to a gaming machine that plays a bonus feature whose first outcome is guaranteed to be a successful outcome. After presenting the first successful bonus game outcome, the gaming machine also offers a player a choice to select between continuing with the bonus feature or ending the bonus feature. If the player selects to continue the bonus feature, the gaming machine (1) determines a subsequent prize for a successful subsequent outcome, (2) determines a probability of the successful subsequent outcome based on the subsequent prize for the successful subsequent outcome, and (3) generates a subsequent outcome based on the probability. Thus, the determination of a probability based on a subsequent prize at the gaming machine serves to determine a random subsequent outcome.

Applicants respectfully submit that Seelig does not disclose guaranteeing any win, let alone guaranteeing a successful first outcome in a bonus feature.

Rather, Seelig’s system pays a player when the player’s selection of binary outcomes matches a displayed winning outcome. See Figure 5 of Seelig. There is no guarantee. In fact, Seelig discloses that after the system of Seelig has selected a winning outcome, the “player is then paid a predefined payout when the player wins depending upon the number of similar binary outcomes to the winning outcome displayed.” An award is paid only when there is a match, a successful first outcome is not guaranteed. There is no guarantee to win anything or to display any successful outcome.

Furthermore, Seelig does not disclose any outcome that is a function of a subsequent prize, not to mention any outcome that is a function of a subsequent prize.

Rather, Seelig's binary outcome is merely randomly generated. See block 174 of Figure 9. At best, Seelig merely discloses "at step 174, the bonus game generates and displays the either/or binary heads or tails outcomes." See paragraph [0050]. Thus, Seelig's probability of a successful outcome is not based on the subsequent prize.

Therefore, claims 1 and 12 are not anticipated by Seelig, and are allowable.

Claims 2 – 4, 7, 9, 10, and claims 13 – 15, 18, and 20 are dependent from claims 1 and 12, respectively. Therefore, claims 2 – 4, 7, 9, 10, and claims 13 – 15, 18, and 20 are also allowable for at least the same reasons set forth above with respect to claims 1 and 12.

### **35 U.S.C. §103 Rejection**

Claims 11 and 21 presently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Seelig in view of GB Patent No. 2114347 ("Arnold"). Claims 11 and 21 depend from claims 1 and 12, respectively, and therefore are allowable for at least the same reasons set forth above regarding Seelig with respect to claims 1 and 12.

Arnold does not cure the deficiencies of Seelig. In fact, Arnold does not teach or suggest any guaranteed successful first outcome. Nor does Arnold disclose any subsequent outcome that depends on a probability that is based on a subsequent prize.

Therefore, neither Seelig nor Arnold, either alone or in combination, teaches or suggests claims 11 and 21. Therefore, claims 11 and 21 are allowable for at least the same reasons set forth above.

## **Conclusion**

Applicants respectfully submit that claims 1 – 4, 7, 9 – 15, 18, 20, and 21 are allowable. In the event that the Examiner believes a telephone interview with the undersigned Applicant's Representative would be helpful in advancing prosecution of this patent application, the undersigned is available for telephone consultation.

Respectfully submitted,

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